

# **Pakistan's Anti-Immigration Policy**

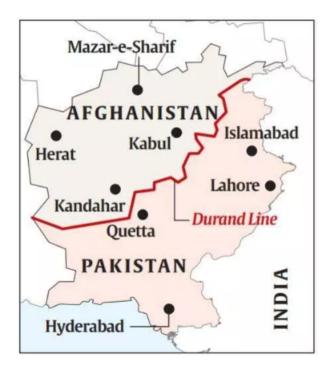
### Why in news?

Recently, Pakistan government launched a nationwide deportation operation against 17 lakh undocumented Afghan refugees.

### Why there is huge influx of Afghan refugees in Pakistan?

Afghanistan and Pakistan share a 2,640km long border which passes through rugged mountains, densely forested valleys and narrow rock passages. Its topography makes it porous and difficult to control.

- According to estimates, *more than 95% of refugees* in Pakistan, both documented and undocumented, are Afghan nationals.
- **Soviet invasion** In 1979, Soviet invaded Afghanistan, resulting in steady migration of people to neighbouring Pakistan.
- US invasion- United States invaded Afghanistan after the September 11 attack.
- **Rise of Taliban** Refugees International, an independent humanitarian group said that since the fall of Kabul to the Taliban in 2021, more than 600,000 Afghans have fled to Pakistan.



#### What is the deportation about?

- **Deportation** The surge in violence this year triggered Pakistan to launch a nationwide deportation operation.
- Afghan refugees require a <u>Proof of Registration (PoR) card</u> to legally remain in Pakistan.
- Afghanistan's response- Afghan government led by the Taliban called the deportation as unacceptable and asked Pakistan to reconsider the decision.
- Deportations in the past
  - 2016 More than 600,000 Afghan immigrants, returned to their country, according to data compiled by the United Nations High Commissioner for Refugees (UNHCR).
  - 2018- Almost 50,000 Afghan citizens, both registered and undocumented, were expelled, according to the UNHCR.

### What are the implications of this move?

- The alarm bells ring louder for *minorities, women and journalists* who are being forced to return to a country languishing under the Taliban regime.
- This move would particularly put *women and girls* in grave danger as they would be exposed to persecution and other human rights violations simply because of their sex and their gender.
- It would affect people who are living and studying in Pakistan as the Taliban has imposed <u>bans on young and unmarried women</u> from accessing health centres, schools and universities, public spaces, or pursuing means of employment.
- Those who *worked for the U.S., the U.K. and other Western countries* before the Taliban took control of Afghanistan are highly vulnerable.

# Is deportation legal?

- **Forceful detention** Mass deportation and harassment are illegal, unconstitutional and violative of people's fundamental rights.
- **Principle of refoulement** It forms an essential protection under international human rights, refugee, humanitarian and customary law.
- United Nations specifies that countries are forbidden from directly or indirectly forcing people from returning to a place of persecution.
- It states that no one should be returned to a country where they would face torture, cruel, inhuman or degrading treatment or punishment and other irreparable harm.
- Applicability- It is applicable to all migrants at all times, irrespective of migration status.

# What is the reaction of human rights agencies?

Human rights agencies estimate that about 60% of Afghan refugees in Pakistan are undocumented.

• Amnesty International- Afghan refugees' lives and rights are at stake due to the

collective failure of Pakistan and the international community to share the responsibility for their protection.

- **United Nations** It called the decision a 'human rights catastrophe' which will put the refugees who fled persecution in neighbouring Afghanistan at grave risk.
- **Rights group-** They have urged Pakistan to stop the crackdown against, and harassment of, Afghan refugees across the country in keeping with international legal obligations.

#### References

- 1. The Hindu- Why Pakistan deporting Afghan migrants and refugees
- 2. United Nations- Principle of non-refoulement

